



## **CAREER OPPORTUNITY**

### **U.S. DEPARTMENT OF TRANSPORTATION FEDERAL RAILROAD ADMINISTRATION (FRA)**

**ANNOUNCEMENT NUMBER:** FRA-05-38T  
**POSITION TITLE:** Assistant Chief Counsel  
ES-905  
Salary Range: \$107,550 to \$162,100 per annum

**POSITION LOCATION:** Federal Railroad Administration  
Office of Chief Counsel  
Washington, D.C.

**AREA OF CONSIDERATION:** All Qualified Candidates

**OPENING DATE:** 04-15-05  
**CLOSING DATE:** 05-31-05

**NUMBER AND TYPE OF** One Full-Time Permanent Position

**Due to U.S. mail delays, it is recommended that applicants fax, use a professional delivery service (i.e., FedEx, UPS, etc.), email, or personally deliver applications to ensure timely receipt.**

#### **DOT is an Equal Opportunity Employer**

All qualified applicants will be considered regardless of political affiliation, race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or other non-merit factors. DOT provides reasonable accommodations to applicants with disabilities. If you need a reasonable accommodation for any part of the application and hiring process, please notify us. Decisions on granting reasonable accommodation will be made on a case-by-case basis.

**Why Work For Us?** Transportation impacts every facet of American life, providing people access to work, school, loved ones, and nature's rich bounty. The U.S. Department of Transportation is committed to transportation excellence and strives to create the best possible integrated air, land, and sea transportation system for America. As a DOT employee, you will become a part of the dedicated workforce who work day-to-day to make measurable improvements in our transportation system, the security of our nation, and the quality of American life.

The Federal Railroad Administration, an Operating Administration under the Department of Transportation, was created to promote and enforce safety throughout the U.S. railroad system, rehabilitate the Northeast Corridor rail passenger services, consolidate Federal support for rail transportation, and support research and development for rail transportation for passengers, railroad employees and the general public.

**Summary Of The Essential Job Functions** As the Assistant Chief Counsel, you will be required to:

- Serve as the FRA's primary expert in legal matters affecting the Federal railroad safety program.
- Serve as the FRA's lead attorney on the legal aspects of the intricate issues concerned with the railroad safety program.
- Represent the FRA in contacts with members of Congress and their staffs, high-level officials from other Federal and State Government agencies, and executive officers and legal counsel of railroads and railroad labor organizations.
- Prepare, review and advise on legal aspects of special briefing reports, policy statements, procedural directives, technical bulletins, opinions and interpretations of FRA regulations, and Congressional reports and correspondence on rail safety and security matters for the Secretary of Transportation, the FRA Administrator and other senior officials of the Department.
- Direct the review of a wide variety of violation reports by which FRA's field safety inspectors and their state counterparts recommend the imposition of civil penalties on railroads and shippers.
- Serve as FRA's civil prosecutor, annually handling thousands of recommended assessments from a national network of hundreds of safety inspectors.
- Determine whether prosecution should be initiated or claims settled in matters involving claims pursuant to the Federal Claims Collection Act and the Federal railroad safety statutes.
- Serve as legal representative of DOT on cases concerning railroad safety that are prosecuted or defended in court by the agency and in related administrative hearings, and supervise all aspects of the staff attorney's active participation in the litigation.
- Exercise the agency's authority to disqualify individuals from safety-sensitive service, where their violations of safety laws demonstrate their unfitness, including signing orders of disqualification.
- Recommend the proposal of rail safety legislation to Congress, and oversee the drafting of the Administration's rail safety bills.
- Implement equal employment opportunity and workforce diversity goals and objectives.
- Carry out personnel management responsibilities for the Division, which includes professional, technical and administrative personnel.

## **What Are The Minimum Qualifications For This Position?**

You must: (a) possess a professional law degree (LL.B or J.D.); (b) be a member in good standing of a recognized bar of a state, a territory of the United States, or the District of Columbia; (c) have experience of sufficient scope and quality to be able to carry out effectively the managerial and technical duties of the position; and (d) be fully qualified on the qualifications of the position listed in the POSITION DEMANDS below.

## **What Are The Required Knowledge, Skills And Abilities For This Job?**

### **I. POSITION DEMANDS:**

- A. Technical/Professional/Program Requirements:  
(Candidates must clearly demonstrate progressively responsible experience and possession of the following knowledge, skills and abilities:)
1. Ability to analyze complex legal issues, provide reasonable solutions, and deliver concise and effective written presentations and presentations one-on-one and to groups.
  2. Demonstrated knowledge of the technical complexities of the railroad industry.
  3. Demonstrated knowledge of Federal railroad safety laws and regulations and Federal administrative law.
  4. Demonstrated ability to develop regulations that are well written, accomplish their purposes, and survive legal challenge.
  5. Demonstrated ability to develop legislative proposals that are very well written, accomplish their purpose, and minimize the likelihood of litigation.
  6. Skill in conducting offensive and defensive courtroom litigation.
- B. Executive Core Requirements:  
(Candidates must clearly demonstrate progressively responsible experience and proficiency in **all** five executive core qualifications listed below.)
- 1. Leading Change:** The ability to develop and implement an organizational vision which integrates key national and program goals, priorities, values, and other factors. Inherent to it is the ability to balance change and continuity -- to continually strive to improve customer service and program performance within the basic Government framework, to create a work environment that encourages creative thinking, and to maintain focus, intensity, and persistence, even under adversity.
  - 2. Leading People:** The ability to design and implement strategies which maximize employee potential and foster high ethical standards in meeting the organization's vision, mission, and goals.
  - 3. Results Driven:** Stresses accountability and continuous improvement. It involves the ability to make timely and effective decisions and produce results through strategic planning and the implementation and evaluation of programs and policies.
  - 4. Business Acumen:** The ability to acquire and administer human, financial, material, and information resources in a manner which instills public trust and accomplishes the organization's mission, and to use new technology to enhance decision making.

**5. Building Coalitions/Communication:** The ability to explain, advocate, and express facts and ideas in a convincing manner, and negotiate with individuals and groups internally and externally. It also involves the ability to develop an expansive professional network with other organizations, and to identify the internal and external politics that impact the work of the organization.

### **Other Special Job Requirements**

- This is a General position in the Senior Executive Service (SES). As a condition of employment, the candidate selected will be required to enter the SES if not already a member. Unless the selectee is a member of the SES with career status or has successfully completed an SES Candidate Development Program, he/she will be required to have his/her managerial qualifications approved by the U.S. Office of Personnel Management.
- New Career appointees to the SES will be required to serve a one-year probationary period.

### **How Will The Qualified Applicants Be Further Evaluated And Rated To**

**Identify The Best Qualified?** Applicants will be evaluated on each of the Technical/Professional/Program Requirements and the Executive Core Requirements listed under Required Knowledge, Skills and Abilities enumerated above. The evaluation will be used to determine which applicants are best qualified. The applicant's total background, including experience, training and awards will be reviewed in determining the degree to which the candidate possesses each of the requirements. Interviews, qualification inquiries, and references may be required as part of the evaluation process.

**What Employee Benefits Do We Provide?** The Federal Government offers excellent benefits, flexible work schedules and family-friendly programs. You will receive paid annual leave and sick leave. This is a permanent position and you will be eligible for retirement, health insurance, life insurance and Long Term Care insurance. A brief summary of the Federal benefits for permanent employees can be found at [www.usajobs.opm.gov/EI61.htm](http://www.usajobs.opm.gov/EI61.htm).

### **Before You Go Any Further, Here Are Some Other Things You Need to Know**

- If you are a United States male between the ages of 18 and 26 or were born after December 31, 1959, certification is required at the time you are employed that you have registered with the Selective Service for the draft, unless Selective Service has approved a waiver for you.
- Applicants must meet the qualification requirements by the closing date of the announcement.
- If you are selected or among the best qualified candidates for this position, you will be subject to a determination of your suitability for Federal employment.
- Before being hired you will be required to sign and verify the accuracy of the information in your application if you have not done so using an application form such as the OF 612.
- No moving, travel or transportation expenses will be provided by the Federal Railroad Administration.

- The FRA has determined that seniority rights, leaves of absence, and reemployment rights generally constitute an actual or an appearance of a conflict of interest. New employees may be required to divest themselves of such rights immediately upon hire if these rights are determined to constitute an actual or appearance of a conflict of interest. No waivers of this requirement will be granted.
- If selected, you will be subject to the Standards of Ethical Conduct applicable to all DOT employees and will be required to file a public disclosure report within 30 days of entry on duty.
- FRA employees are prohibited from owning railroad stock, except, under certain circumstances, as part of a diversified mutual fund.

## **How To Apply For This Position**

- You must submit your current Resume, an OF-612 (Optional Application for Federal Employment), or SF-171 (Application for Federal Employment). You may choose which form to submit provided it contains all required information. Required information is listed in the section below labeled “Here’s What Your Application Must Contain.”
- You must submit Narrative Statements that briefly enumerate your experience, training, and awards that relate to each of the Technical/Professional/Program and Executive Core Qualifications requirements. Please provide this information in the order the elements are presented above. The Narrative Statement provides you an opportunity to relate your background to the specific demands of the position. Failure to provide the specific information in the Narrative Statement may result in your receiving a lower rating in the evaluation process. **Additional information on developing the narrative statements for the Executive Core Qualifications can be found in the U.S. Office of Personnel Management’s brochure “Guide to Senior Executive Service Qualifications.” The Guide may be found on the Office of Personnel Management’s website at [www.opm.gov/ses/handbook.html](http://www.opm.gov/ses/handbook.html).**

## **Where To Send Your Application**

- You may **mail or deliver** your application to the Federal Railroad Administration, Office of Human Resources, 1120 Vermont Avenue, NW., 6<sup>th</sup> Floor, Washington, DC 20590. You may email your application package to [teresa.overmier@fra.dot.gov](mailto:teresa.overmier@fra.dot.gov).
- You may fax your application to our fax number at 202/493-6169. We will not accept applications faxed from a Federal Government fax machine.
- ALL application forms and narrative statements must be in our office or postmarked by the closing date of the announcement.
- Applications mailed in a Government envelope will not be accepted.

## HERE'S WHAT YOUR APPLICATION MUST CONTAIN

### JOB INFORMATION

- Announcement number and title of the position

### PERSONAL INFORMATION

- Full name
- Mailing address (with Zip Code)
- Social Security Number
- Country of citizenship (Most Federal jobs require United States citizenship)
- Federal employees & Reinstatement eligibles (**Attach SF-50**)
- Highest Federal civilian grade held

### EDUCATION

- High School name, city, state, and date of diploma or GED
- College/University names, city, and state
- Major(s)
- Type and year of degree(s) received

### WORK EXPERIENCE

(paid and unpaid)

- Job Title
- Duties and accomplishments
- Employer's name and address (indicate if we may contact your current supervisor)
- Supervisor's name and telephone number
- Starting and ending dates (month and year)
- Hours per week
- Salary and/or Grade (GS-or equivalent)

### OTHER QUALIFICATIONS

- Job-related training courses (title and year)
- Job-related skills (e.g., foreign languages, computer software/hardware, etc.)
- Job-related certificates and licenses (current only)
- Job-related honors, awards, and special accomplishments (e.g., memberships in professional or honor societies, leadership activities, public speaking, performance awards and publications) (give dates)

**Privacy Act Requirements:** The forms referenced in this announcement are used to determine applicants' qualifications for the position and are authorized under 5 U.S.C. 3302 and 3361.

### Questions?

Call Teresa Overmier at 202/493-6116 or TDD 202/493-6487 or 6488, or email at [teresa.overmier@fra.dot.gov](mailto:teresa.overmier@fra.dot.gov). Please reference the announcement number so we can help you more efficiently.

Para mas informacion en espanol sobre este anuncio de vacante o cualquier otra information sobre empleo en las Federal Railroad Administration (FRA), por favor llame a Francisco Gonzalez 202/493-6076. La FRA es un empleador con igualdad de oportunidad en el empleo, y que por medio de programas de accion afirmativa mantiene un ambiente multicultural. Todos los que soliciten recibiran igual consideracion, sin ninguna excepcion, por raza, color, religion, sexo, origin nacional, politica, inpedimento fisico o edad.

**ALTERNATIVE FORMATS:** If you need a copy of this announcement in an alternative format to accommodate a disability, please contact Marcella Mullins at [marcie.mullins@fra.dot.gov](mailto:marcie.mullins@fra.dot.gov), on 202/493-6114 or at the TDD number 202/493-6487 or 6488.

**REASONABLE ACCOMMODATION:** If you are requesting reasonable accommodation in connection with applying for this vacancy, please contact Marcella Mullins as listed above.